

BEFORE THE COMMISSIONER OF  
POLITICAL PRACTICES OF THE STATE OF MONTANA

Jeffrey A. Mangan, Commissioner of Political Practices  To: Fred Wilburn  No. COPP-2021-ONC-004	ORDER OF NONCOMPLIANCE
--	------------------------

WHEREAS, the above named candidate, On June 4, 2021, Fred Wilburn filed a Declaration of Nomination and Oath of Candidacy with the Yellowstone County elections department; and

WHEREAS, Fred Wilburn filed a C-1A Statement of Candidate as a candidate for election to the position of Billings City Council, Ward 5 in Yellowstone County with the COPP on June 23, 2021 using the CERS electronic reporting system. On this Statement of Candidate, candidate Wilburn certified that campaign expenditures would exceed \$500.00; and

WHEREAS, As a 2021 municipal (city) candidate who certified campaign expenditures would exceed \$500.00, candidate Wilburn had a C-5 campaign finance reports due on or before September 20, 2021, covering all contribution

and expenditure activity from August 20, 2021<sup>1</sup> through September 15, 2021;  
and

WHEREAS, On September 21, 2021, COPP Compliance Specialists emailed candidate Wilburn to notify him that his campaign had yet to file required campaign finance reports. This email message states that “I am sending you this email because the C5 that was due yesterday is still not filed. Please go in and file” it.

A second email reminder was sent by COPP Compliance Specialists to candidate Wilburn on September 27, 2021. This message indicated that candidate Wilburn had recently spoken with COPP Compliance Specialists about needing to file the September 20 C-5 report and notified him that “a candidate is not in compliance with COPP when reports are not filed as the reporting dates are required according to 13-37-225 MCA”.

On October 6, 2021, COPP Investigator contacted candidate Wilburn via email again alerting him to file the C-5 campaign finance report due on September 20, 2021. This email notified candidate Wilburn that:

“You will need to log into the CERS system and file the C-5 campaign finance report that was due on September 20. This required report must be filed by the end of the day Friday, October 8, 2021. Failure to file by that date may result in an Order of Noncompliance being issued by Commissioner Mangan”;  
and

---

<sup>1</sup> Candidate Wilburn’s last filed C-5 report was dated July 21, 2021 through August 19, 2021

WHEREAS, despite public reporting calendars, COPP website and social media updates, instruction and guidance provided to Candidates by COPP staff, candidate Wilburn has failed to:

- Candidate Wilburn did not file a C-5 campaign financial report on or before September 20, 2021;
- Candidate Wilburn did not respond to COPP staff requests to file required reports on or before October 8, 2021.


A copy of the candidate's Statement of Candidate is attached.

IT IS FURTHER ORDERED, pursuant to §13-37-121, MCA, that is declared to be in NONCOMPLIANCE with the provisions of sections § 13-37-225, MCA and ARM 44.11.302; and

IT IS FURTHER ORDERED that a County Attorney or the Commissioner may, on failure by to submit appropriate campaign finance reports within 5 days after receiving this Order of Noncompliance, may initiate a civil action pursuant to sections §13-37-124 and §13-37-128, MCA; and

FURTHER, if is aggrieved by the issuance of this Order of Noncompliance, he may seek judicial review in District Court pursuant to section §13-37-122, MCA.

DATED this 12<sup>th</sup> day of October 2021.



---

Jeffrey A Mangan  
Commissioner of Political Practices  
Of the State of Montana  
P. O. Box 202401  
1209 8<sup>th</sup> Avenue  
Helena, MT 59620  
Phone: (406)-444-3919

# Statement of Candidate (C1 or C1-A)

## Candidate Information

**Candidate Full Name:** Wilburn, Fred  
**Mailing Address:** P.O. Box 80683 BILLINGS, MT 59108  
**Physical Address:** 2821 VERMILLION DRIVE BILLINGS, MT 59102  
**Home Phone:** (406) 281-2636  
**Alternate Phone:**  
**Campaign Email Address:** Fredwilburnforcitycouncil2021@gmail.com  
**Election Year:** 2021  
**Candidate Type:** City  
**Office Sought:** City Council  
**Resident County:** Yellowstone  
**Political Party:** Non-Partisan  
**Current Status:** Amended  
**Date Filed:** 06/23/2021  
**Amended Date:** 07/22/2021  
**D1 Received Date:**  
**C118 Received Date:**  
**Reporting Status:** Will spend more than \$500  
**Bank Full Name:** Western Security Bank  
**Bank Address:** 2675 King Ave W. BILLINGS, MT 59102

## Campaign Treasurer Information

**Treasurer Full Name:** Frank, Kahla  
**Mailing Address:** P.O. Box 80683 BILLINGS, MT 59108  
**Physical Address:** 2821 VERMILLION DRIVE BILLINGS, MT 59102  
**Home Phone:** (406) 281-2636  
**Alternate Phone:**  
**Home or Personal Email Address:** fredwilburnforcitycouncil2021@gmail.com

## Deputy Treasurer Information



# Declaration for Nomination and Oath of Candidacy

FOR FILING OFFICE ONLY

Filed this 4 day of June, 2021  
Document # \_\_\_\_\_  
Fee paid:  cash  check  credit  
By: \_\_\_\_\_ 39  
Deputy or Filing Officer

DECLARATION AND OATH OF CANDIDACY TO BE FILED WITH SECRETARY OF STATE OR COUNTY ELECTION ADMINISTRATOR AS APPLICABLE

Filing for office of: Billings City Council  
FRED Wilburn - Ward 5  \_\_\_\_\_ OR  Nonpartisan  
Full name of office including district and/or department numbers if applicable Name of Political Party

Candidate Name (printed exactly as it should appear on the ballot): FRED Wilburn

Mailing Address: 2821 Vermillion Dr City and State: BILLINGS MONTANA Zip Code: 59102

Residence Address: 2821 Vermillion Dr City and State: BILLINGS MONTANA Zip Code: 59102

County of Residence: YELLOWSTONE Contact Phone: (406) 281-2636 Email Address: FredrickJWilburn@gmail.com Website Address: \_\_\_\_\_

IF THIS DECLARATION IS FOR THE OFFICE OF GOVERNOR, YOU MUST COMPLETE THE FOLLOWING INFORMATION:

Lieutenant Governor Name (printed exactly as it should appear on the ballot): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Residence Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_ Website Address: \_\_\_\_\_

IF THIS DECLARATION IS FOR THE STATE LEGISLATURE, YOU MUST SELECT ONE OF THE FOLLOWING:

- (a) I hereby affirm that I am either a resident of the county in which I am a candidate, if it contains one or more legislative districts, or of the legislative district if it contains all or parts of more than one county, OR
- (b) I hereby affirm that I will meet the residency qualification(s) in (a) above for 6 months preceding the general election and will notify the office of the Secretary of State in writing when I qualify or if I do not qualify.

FILING FEE - FEE MUST BE PAID BEFORE FILING IS VALID:

Candidate Filing Fee, if applicable, in the amount of \$ 72.00 is hereby submitted with this Declaration and Oath of Candidacy.

OATH OF CANDIDACY - CANDIDATE MUST SIGN IN THE PRESENCE OF A NOTARY PUBLIC OR AN OFFICER OF THE OFFICE WHERE THIS FORM IS FILED:

I hereby affirm that I possess, or will possess within constitutional and statutory deadlines, the qualifications prescribed by the Constitution and laws of the United States and the State of Montana.

Fred Wilburn  
Signature of Candidate

6-4-21  
Date

NOTARY PUBLIC OR AUTHORIZED OFFICER

State of Montana

County of Yellowstone

Signed and sworn to before me this 4 day of June, 2021 by Fred Wilburn  
Printed Name of Candidate

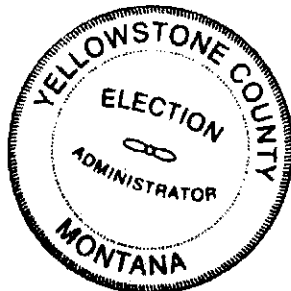
Rebecca Herd  
Signature of Notary or Public Official

Rebecca Herd  
Printed Name of Notary Public

Notary Public for the State of \_\_\_\_\_

Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_, 20\_\_\_\_



**Where to file Federal, Statewide, State District and Legislative offices:**  
Montana Secretary of State  
P.O. Box 202801  
State Capitol Building, 1301 E. 6th Ave  
2nd Floor, Room 260  
Helena, MT 59620  
Online: [sosmt.gov/elections/filing/](http://sosmt.gov/elections/filing/)  
Fax: 406-444-2023

**Where to file County, City and most Local District offices:**  
County Election Office  
A list of county election offices may be found at: [sosmt.gov/elections](http://sosmt.gov/elections)